

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

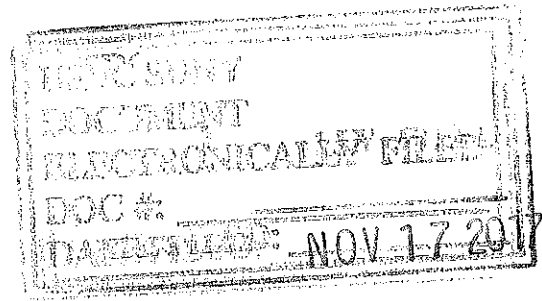
ROBERT E. HERNREICH, AS TRUSTEE
FOR THE ROBERT E. HERNREICH 2005
TRUST, and SERURE SCOUT LLC,

Plaintiffs,

-against-

JAMES C. HECKMAN, JR., MARK
STIEGLITZ, WILLIAM
C. SORNSIN, JR., and ROSS LEVINSOHN,

Defendants.



STIPULATION & [REDACTED]
ORDER

17 Civ. 6276 (GBD)

WHEREAS Plaintiffs filed a Complaint in the above-captioned matter on August 18, 2017;

WHEREAS Plaintiffs filed an Amended Complaint ("Amended Complaint") on November 7, 2017;

WHEREAS each of the Defendants named in the Amended Complaint were served or waived service by November 10, 2017;

WHEREAS the Amended Complaint asserts claims under Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") and Rule 10b-5 promulgated thereunder, and Section 20(a) of the Exchange Act;

WHEREAS Defendants have notified Plaintiffs that they will move to dismiss the Amended Complaint;

WHEREAS the Private Securities Litigation Reform Act ("PSLRA"), 15 U.S.C. § 78u-4(b)(3), imposes an automatic stay of discovery pending a decision on any motion to dismiss,

unless the Court finds upon motion that particularized discovery is necessary to preserve evidence or to prevent undue prejudice;

WHEREAS the Court has scheduled an initial conference on December 5, 2017 at 9:30 a.m. for this action, in accordance with Fed. R. Civ. P. 16(b);

WHEREAS, the undersigned counsel are appearing for Plaintiffs and Defendants;

NOW THEREFORE, it is hereby STIPULATED AND AGREED by the undersigned counsel, subject to the approval of the Court, that:

1. On or before January 15, 2018, Defendants shall file their motion(s) to dismiss the Amended Complaint.
2. Plaintiffs shall serve their papers in opposition to Defendants' motion(s) to dismiss on or before March 15, 2018.
3. Defendants shall file their reply papers in further support of their motion(s) to dismiss on or before April 20, 2018.
4. In light of the PSLRA stay of discovery, the initial conference scheduled for December 5, 2017 shall be adjourned *sine die* pending the Court's ruling on Defendants' motion(s) to dismiss.

Dated: November 16, 2017
New York, New York

Attorneys for Plaintiffs:

BERGER & MONTAGUE, P.C.

By: Eric Lechtzin by me
Todd S. Collins
Eric Lechtzin
Russell David Paul

1622 Locust Street
Philadelphia, Pennsylvania 19103
(215) 875-3000

Attorneys for Defendants:

CLEARY GOTTLIB STEEN &
HAMILTON LLP

By: Meredith Kotler
Meredith Kotler
Jessica W. Stiefler

One Liberty Plaza
New York, New York 10006
(212) 225-2000

SO ORDERED:

George B. Daniels
GEORGE B. DANIELS
United States District Judge

NOV 17 2017

Dated: November __, 2017
New York, New York